

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

SUNIL WALIA,

Plaintiffs,

PROTECTIVE ORDER

- against -

CV 2006-6587 (JBW)(MDG)

MICHAEL CHERTOFF, Secretary, Dept. of  
Homeland Security, I.C.E.,

Defendant.

- - - - -X

This Court having reviewed the "Confidentiality Order" signed and filed by the parties as a letter (ct. doc. 11) and finding good cause for a protective order, the terms of the stipulation are approved, but subject to the following:

1. No party may designate a document as "confidential" unless the party reasonably believes that such document contains personal information concerning non-parties; non-public information implicating security or law enforcement concerns; private and confidential information concerning parties, such as health and non-public financial records; and other non-public information that would ordinarily be subject to a protective order, such as portions of law enforcement guides or manuals.

2. The parties must observe Rule 5.2 of the Federal Rules of Civil Procedure regarding the redaction of private information from court filings and must use best efforts to minimize the need to file documents designated as "confidential" under seal. Prior to

filing under seal any document designated as "confidential," the party must determine whether the material that is the basis for "confidential" designation is relevant to the issue addressed in a filing and whether a stipulation of certain facts or redaction of confidential material may eliminate the need for sealing a "confidential" document. If the confidential information is not relevant to the filing, a document should be filed with such material redacted.

3. Any document to be filed under seal must be submitted in accordance with procedures established by the Clerk's Office. If a submission is lengthy but the confidential material comprises a small portion of the submission, only the pages, sections or exhibit containing confidential material should be filed under seal and the remainder of the submission filed unsealed. If an entire document is filed under seal, the party submitting the document must file via electronic case filing a notice of such submission being filed under seal. Any sealing envelope should clearly describe the document to be sealed and identify the document number on the docket sheet corresponding to such sealed document. Each envelope submitted for sealing may contain only one document or portions of one filing (such as redacted pages from multiple exhibits annexed to a document filed).

4. A party submitting a document for filing under seal shall provide the Court with a complete un-redacted copy of the

submission. The first page of the submission must indicate what portions have been redacted and filed under sealed.

5. Any confidential document which is publicly disclosed by the designating party shall, upon disclosure, automatically cease to be confidential entitled to protection by this Order. Such public disclosure includes any filing with any governmental agency or department of any document containing Confidential Material which is subject to access by the public.

**SO ORDERED.**

Dated: Brooklyn, New York  
January 17, 2008

/s/\_\_\_\_\_  
MARILYN D. GO  
UNITED STATES MAGISTRATE JUDGE